

1 James C. Shah (SBN 260435)
2 SHEPHERD, FINKELMAN, MILLER & SHAH, LLP
3 401 West A Street, Suite 2350
4 San Diego, CA 92101
5 Telephone: (619) 235-2416
6 Facsimile: (619) 235-7334
7 jshah@sfmslaw.com

8 CHIMICLES & TIKELLIS LLP
9 Steven A. Schwartz
10 Timothy N. Mathews
11 361 W. Lancaster Avenue
12 Haverford, PA 19041
13 Telephone: (610) 642-8500

14 *Attorneys for Plaintiff and on Behalf
15 of All Others Similarly Situated*

16 Scott D. Baker (SBN 84923)
17 Jonah D. Mitchell (SBN 203511)
18 James A. Daire (SBN 239637)
19 Christine M. Morgan (SBN 169350)
20 REED SMITH LLP
21 101 Second Street, Suite 1800
22 San Francisco, CA 94105
23 Telephone: (415) 543-8700

24 *Attorneys for Defendant
25 SAFEWAY INC.*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

29 MICHAEL RODMAN, on behalf of himself
30 and all others similarly situated,

31 Plaintiff,

32 v.

33 SAFEWAY INC.,

34 Defendant.

35 Case No. 3:11-CV-03003 JST (JCS)

36 **JOINT CASE MANAGEMENT REPORT**

37 **Date:** February 24, 2016
38 **Time:** 2:00 PM
39 **Courtroom:** 9 – 19th Floor

40 The Honorable Jon S. Tigar

1 Plaintiff, Michael Rodman (“Plaintiff”) and Defendant, Safeway Inc.
2 (“Safeway”) submit this Status Report to provide an update on three issues currently
3 pending before this Court, which are: the bill of costs; a proposed interim notice to
4 Class Members of entry of the judgment; and a briefing schedule for Plaintiff’s
5 anticipated motion for discovery sanctions. The parties are filing concurrently
6 herewith two stipulations that, subject to Court approval, resolve the issues
7 concerning the bill of costs and the proposed interim notice. The parties have also
8 agreed to a briefing schedule for Plaintiff’s motion for sanctions, which is set forth
9 below. As such, the parties believe the Case Management Conference currently
10 scheduled for February 24, 2016 can be taken off calendar. Alternatively, Plaintiff
11 will file herewith a request to appear telephonically.

12

13 **A. Bill of Costs**

14 The parties have reached agreement on a stipulated amount of \$95,000.00 for
15 Plaintiff’s Bill of Costs incurred through the date of the approximately \$41.9 million
16 judgment. The parties are submitting a stipulation to that effect today.

17

18 **B. Notice of Entry of Judgment to Class Members**

19 The parties have agreed to send a notice to class members to provide them
20 with an update on the status of the case, and also reminding Class members that they
21 should contact Class counsel in the event that their address or contact information
22 changes prior to resolution of the litigation. The parties have agreed on the content
23 of the notice and manner of distribution, and are submitting a stipulation and
24 proposed order seeking approval today.

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H0052020.

1 **C. Plaintiff's Motion for Sanctions**

2 The parties have engaged in meet and confer discussions regarding Plaintiff's
3 anticipated motion for discovery sanctions but have been unable to reach any
4 agreement that obviates the need to file the motion. The parties propose the
5 following briefing schedule:

6 March 16, 2016 – Deadline for Plaintiff to file motion for
7 sanctions

8 April 13, 2016 – Deadline for Defendant to respond

9 May 4, 2016 – Plaintiff's Reply

10 May 19, 2016 (or such other date as the Court may choose) –
11 Hearing on Plaintiff's motion for sanctions

12 A proposed order setting the above schedule is attached hereto.

13 REED SMITH LLP

14 By: /s/ Jonah D. Mitchell
15 Scott D. Baker (SBN 84923)
16 Jonah D. Mitchell (SBN 203511)
17 James A. Daire (SBN 239637)
18 Christine M. Morgan (SBN 169350)
19 101 Second Street, Suite 1800
20 San Francisco, CA 94105
21 Telephone: (415) 543-8700
22 Facsimile: (415) 391-8269

23 Attorneys for Defendant
24 SAFEWAY INC.

14 CHIMICLES & TIKELLIS LLP

15 By: /s/ Timothy N. Mathews
16 Steven A. Schwartz (pro hac vice)
17 Timothy N. Mathews (pro hac vice)
18 361 W. Lancaster Ave.
19 Haverford, PA 19041
20 Telephone: (610) 642-8500
21 Facsimile: (610) 649-3633
22 James C. Shah (SBN 260435)
23 Rose F. Luzon (SBN 221544)
24 SHEPHERD, FINKELMAN,
25 MILLER & SHAH
26 401 West A Street, Suite 2350
27 San Diego, CA 92101
28 Telephone: (619) 235-2416
 Facsimile: (866) 300-7367

14 Attorneys for Plaintiff
15 MICHAEL RODMAN and the Class

1 **[PROPOSED] ORDER**

2 The Court sets the following deadline for Plaintiff's anticipated Motion for
3 Discovery Sanctions:

4 March 16, 2016 Deadline for Plaintiff to file motion for sanctions
5 April 13, 2016 Deadline for Defendant to respond
6 May 4, 2016 Plaintiff's Reply
7 "O c{ "48."4238 "Hearing on Plaintiff's motion for sanctions

8
9 IT IS SO ORDERED.

10 Date: February 3: , 2016

